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**OFFICE OF PETITIONS**

In re Application of :  
Sreenivasan et al. : DECISION ON PETITION  
Application No. 09/811,158 :  
Filed: March 16, 2001 :  
Attorney Docket No. 499.057US1:

This is in response to the PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT UNDER 37 CFR 1.181 filed February 9, 2009.

The above-identified application became abandoned for failure to  
timely file a reply to the non-final Office action mailed May  
14, 2008. This Office action set a shortened statutory period  
for reply of three (3) months, with extensions of time  
obtainable under § 1.136(a). No reply considered filed and no  
extension of time considered obtained, the application became  
abandoned effective August 15, 2008. A courtesy Notice of  
Abandonment was mailed on December 9, 2008.

In response, applicants timely filed the instant petition.  
Applicants contend a response was timely filed on December 1,  
2008 with a certificate of mailing dated November 14, 2008 (and  
a three-month extension of time). In support thereof,  
applicants submit a copy of their return postcard date-stamped  
December 1, 2008, and a copy of the response as originally  
filed.

Petitioner's evidence has been reviewed, and is persuasive.  
However, consideration of their evidence is unnecessary. Their  
response, including an extension of time, is present in the  
application with a date of receipt of December 1, 2008.  
Furthermore, the response and extension of time are made timely

by a certificate of mailing pursuant to 37 CFR 1.8 signed and dated November 14, 2008.

Further, the three-month extension of time, required to make the response timely, was charged to petitioner's Deposit Account on December 1, 2008.

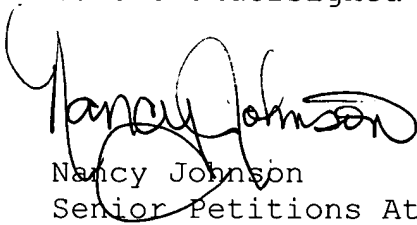
Accordingly, the Notice of Abandonment mailed December 9, 2008 and the holding of abandonment are hereby **WITHDRAWN**.

The petition under § 1.181 is **GRANTED**.

No fee is required on petition under § 1.181.

Technology Center AU 3627 has been advised of this decision. The application is, thereby, forwarded to the Technology Center's technical support staff to withdraw the holding of abandonment and for consideration by the examiner of the response timely filed on December 1, 2008 (with certificate of mailing dated November 14, 2008).

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name and title.

Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions